

**UNITED STATES DISTRICT COURT**

WESTERN DISTRICT OF TEXAS, DEL RIO DIVISION

United States of America

vs.

(1) EMMANUEL ALEJANDRO TORRES-TAMAYO

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§  
§

CRIMINAL COMPLAINT

CASE NUMBER: DR:09-M -09296(1)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **December 22, 2009** in **Maverick** county, in the **WESTERN DISTRICT OF TEXAS** defendant(s) did, (track statutory language of offense) knowingly and willfully enter the United States at a time and place other than as designated by Immigration Officers, he/she being an alien in the United States in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: *"On December 22, 2009, the defendant, Emmanuel Alejandro TORRES-Tamayo, a native and citizen of Mexico, was arrested near Eagle Pass, Texas. Subsequent investigation revealed that the defendant is an alien illegally present in the United States. The Defendant last entered the United States illegally from the Republic of Mexico by crossing the Rio Grande River at a time and place other than as designated by Immigration Officers, near Eagle Pass, Texas."*

Continued on the attached sheet and made a part of hereof:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,

12/28/2009

File Date



Signature of Complainant

at DEL RIO, Texas  
City and StateVICTOR ROBERTO GARCIA

U.S. MAGISTRATE JUDGE



Signature of Judicial Officer

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(1) EMMANUEL ALEJANDRO TORRES-TAMAYO

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CRIMINAL COMPLAINT

CASE NUMBER: DR:09-M -09296(1) - VRG

**JUDGEMENT IN A CRIMINAL CASE  
(For A Petty Offense) - Short Form**

The defendant, EMMANUEL ALEJANDRO TORRES-TAMAYO, was presented by counsel, Jose Juan Salayandia.

The defendant pled guilty to the complaint on December 30, 2009. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 USC 1325	ILLEGAL ENTRY	December 22, 2009

As pronounced on December 30, 2009, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of 10 days with credit for time already served. The sentence is imposed to the Sentencing Reform Act of 1984.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because of reasonable efforts to collect this assessment are not likely to be effective.

The fine is waived because of the defendant's inability to pay.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgement are fully paid.

Filed and Signed on this the 30th day of December, 2009.



VICTOR ROBERTO GARCIA  
U.S. MAGISTRATE JUDGE

Arresting Agency: DRBP - Del Rio Border Patrol  
USM #: 43198280

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION

United States of America

vs.

(1) EMMANUEL ALEJANDRO  
TORRES-TAMAYO

*Defendant*

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§

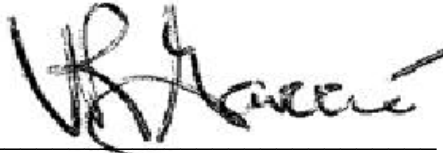
Case Number: DR:09-M -09296(1)

ORDER APPOINTING COUNSEL

The above-named defendant having satisfied this court after appropriate inquiry that he/she (1) does not wish to waive representation by counsel, and (2) is financially unable to obtain counsel, the Federal Public Defender is hereby APPOINTED to represent the above named defendant.

This appointment shall remain in effect until the case is terminated or a attorney is appointed.

ORDERED on 28th day of December, 2009.



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VICTOR ROBERTO GARCIA  
U.S. MAGISTRATE JUDGE